

FILED
U.S. DISTRICT COURT
SOUTHERN DIV.

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

2009 JUN 22 PM 1:15

DAVID RICHARD SUTHERLAND,)
Petitioner,)
v.)
BERRY GOODRICH,)
Respondent.)

CLERK *m. anders*
SO. DIST. OF GA.

CASE NO. CV409-060

O R D E R

Before the Court is the Magistrate Judge's Report and Recommendation (Doc. 3), to which no objections have been filed. After a careful de novo review, the Court concurs with the Magistrate Judge's Report and Recommendation. Accordingly, the Report and Recommendation is **ADOPTED** as the Opinion of this Court. The Habeas Petition is **DISMISSED WITHOUT PREJUDICE**, and the Clerk of Court is **DIRECTED** to CLOSE this case.

SO ORDERED this 22nd day of June, 2009.

WILLIAM T. MOORE
WILLIAM T. MOORE, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA